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OFFICE OF PETITIONS

In re Application of :
Judy Martin et al : DECISION GRANTING PETITION
Application No. 10/064,858 : UNDER 37 CFR 1.137(b)
Filed: August 23, 2002 :
Attorney Docket No. 37104112001 :
:

This is a decision on the petition under 37 CFR 1.137(b), filed June 3, 2004, to revive the above-identified application. The decision on petition mailed November 30, 2004 is vacated.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the Office action mailed November 18, 2003, which set a shortened statutory period for reply of ONE (1) MONTH or THIRTY (30) DAYS, whichever was longer. No reply or extensions of time having been received pursuant to the provisions of 37 CFR 1.136(a), the date of abandonment of this application is December 19, 2004. A Notice of Abandonment was mailed on June 2, 2004.

The petition satisfies the conditions for revival pursuant to the provisions of 37 CFR 1.137(b) in that (1) the reply in the form of an amendment; (2) the petition fee; and (3) the required statement of unintentional delay have been received. Accordingly, the reply to the Office action of November 18, 2003 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3218.

The matter is being referred to Technology Center AU 3636 for appropriate action on the concurrently filed amendment.

Frances Hicks
Frances Hicks
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy